



PHILIP KARASYK

December 5, 2007

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VIA ECF and FACSIMILE (212) 805-7901

Hon. Harold A. Baer

OF COUNSEL

Daniel Patrick Moynihan

MITCHELL HIRSCH

United States Courthouse

ELLIO M. RUDICK

500 Pearl St., Room 2230

New York, NY 10007

ALAN SERRINS

BARRY WASHOR

Re: USA v. Yeung, Eng et al.**1:07-cr-00461-HB**

USDS SDNY
DOCUMENT
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Dear Judge Baer:

This firm represents Frances Eng, who is currently scheduled to appear before you for sentencing on December 27, 2007.

I am respectfully requesting an adjournment of Ms. Eng's sentencing for approximately one month due to two factors. First, I have scheduled a family vacation for Christmas week, which would make me unavailable for December 27.

Secondly, Ms. Eng's plea agreement contains a provision for a *Fatico* hearing, which has not yet been scheduled. From my conversations with AUSA O'Neil, I understand that the Government has not yet decided whether it wishes to proceed with the hearing. Should it choose to go forward, however, I do not believe either side could adequately prepare for what would be a rather lengthy proceeding prior to December 27, nor do I know if the Court's calendar has space for it during the next three weeks.

I believe the Government will also join in my request for the adjournment.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact me. I look forward to your response.

Sincerely yours,

Peter E. Brill

cc: David O'Neil

Endorsement:

Granted on request to January 24 at 9:30 A.M. for sentence if Fatico hearing acquaints me with how long it will take.